



MINUTES

**BRYAN PLANNING AND ZONING COMMISSION
REGULAR MEETING
THURSDAY, MAY 20, 2010 – 6:00 P.M.
COUNCIL CHAMBERS, BRYAN MUNICIPAL BUILDING
300 SOUTH TEXAS AVENUE, BRYAN, TEXAS**

Disclaimer: *The meeting minutes herein are a summarization of meeting procedures, not a verbatim transcription.*

1. CALL TO ORDER

Commissioner Beckendorf called the meeting to order at 6:10pm

Commissioners	Present	2010 Regular Meetings Held	2010 Regular Meetings Attended	Regular Meetings Held During Last 6 Months	Regular Meetings Attended During Last 6 Months
Michael Beckendorf	Yes	7	7	9	8
Johnny Bond	Yes	7	7	9	9
Helen Chavarria	Yes	7	6	9	8
Scott Hickie	Yes	7	7	9	7
G. H. Jones	Yes	7	7	9	8
Chuck Konderla	Yes	7	5	9	5
Prentiss Madison	Yes	7	6	9	7
Don Maxwell	Yes	7	6	9	7
Michael Parks	Yes	7	6	9	7

Staff members present:

Mr. Martin Zimmermann, Planning Administrator; Mr. Randy Haynes, Project Planner; Ms. Michelle Audenaert, Economic Development Planner; Mr. Dale Picha, Director of Traffic and

Transportation; Mr. Paul Kaspar, City Engineer; Ms. Meredith Wilganowski, Assistant City Attorney; and Ms. Nikki Martin.

2. HEAR CITIZENS

No one came forward.

3. RECOGNITION OF AFFIDAVITS FILED IN RESPONSE TO STATE LAW ON DISCLOSURE OF LOCAL OFFICIAL'S CONFLICT OF INTEREST

No affidavits were filed.

4. CONSENT AGENDA

a. Approval of minutes from the workshop and regular meetings on April 15, 2010.

b. Final Plat FP10-02: Service Master RL Subdivision

M. Audenaert

A proposed Final Plat of Service Master RL Subdivision, being 2.89 acres of land out of Zeno Phillips League, A-45 located at 1707 East 29th Street between Hollowhill Drive and Luza Street in Bryan, Brazos County, Texas

Commissioner Jones moved to approve the consent agenda. Commissioner Hickle seconded the motion.

Chairperson Beckendorf asked if there was any discussion. There was none.

The motion passed with a unanimous vote.

5. Rezoning RZ10-07: City of Bryan

R. Haynes

A proposal to change the zoning classification from a combination of Industrial District (I) and Multiple-Family District (MF), to Mixed Use – Residential District (MU-1) on approximately 1.56 acres of land along the south side of the 200 block of West Pease Street between Finfeather Road and Groesbeck Street, being Lots 1 through 6 in Block 1 of Frontier Development Subdivision – 1st Installment, Lot 1 in Block 2 of Frontier Development Subdivision – 2nd Installment and Lots 1 and 2 in Block 1 of Frontier Development Subdivision – 3rd Installment, in Bryan, Brazos County, Texas

- Randy Haynes presented the staff report for both items 5 and 6 on the agenda.

6. Rezoning RZ10-04: Curtis Capps

R. Haynes

A request to change the zoning classification from Industrial District (I) to Mixed Use Residential District (MU-1) on 0.141 acres of land along the south side of the 200 block of West Pease Street between Finfeather Road and Groesbeck Street, being Lot 3 in Block 1 of Frontier Development Subdivision - Third Installment in Bryan, Brazos County, Texas

Randy Haynes presented the staff report for both items 5 and 6 on the agenda.

- Staff recommends approval for the rezoning of all lots from Industrial District (I) and Multiple-Family District (MF) to Mixed Use – Residential District (MU-1) for all ten (10) lots on the 200 block of West Pease Street. Most developed lots currently contain manufactured homes. Mr. Curtis Capps' lots do not have any development.

Responding to a question from Commissioner Maxwell, Mr. Haynes stated that the motion for the approval of both rezoning requests would be to make a motion to approve RZ10-07 and RZ10-04 at the same time.

The public hearing was opened.

No one came forward.

The public hearing was closed.

Commissioner Hickle moved to recommend the approval of Rezoning RZ10-07 and 10-04 to the Bryan City Council and to adopt the written staff report and analysis, as the report, findings and evaluation of this Commission. Commissioner Bond seconded the motion.

Commissioner Beckendorf asked if there was any discussion. There was none.

The motion passed with a unanimous vote.

7. Rezoning RZ10-06: Jose C. Diaz

R. Haynes

A request to change the zoning classification from Residential District – 5000 (RD-5) to Retail District (C-2) on approximately 1.7 acres of vacant land located at the southwest corner of Groesbeck and Richard Streets, being Lots 2, 2A, 2B, 3 and 3A in Block 1 of Thomas Heights Subdivision in Bryan, Brazos County, Texas

Randy Haynes presented the staff report (on file in the Development Services office). Staff recommends approving the request based on the following:

- Mr. Diaz's long range plan is to develop the property into C-2 Office because of the growing community and the need for office space and parking. The lot is located at the entrance to a residential area.
- Staff recommends approval of rezoning the property to C-1, rather than the requested C-2 zoning district so that the uses are limited in what can be placed in the area, and the uses are more compatible with surrounding residentially zoned properties than what is potentially allowed in C-2 zoning districts. Staff believes that C-1 Office would be more appropriate for the area.

Responding to a question by Commissioner Maxwell, Mr. Haynes further clarified the difference between C-1 and C-2 zoning and described their approved uses and variances.

The public hearing was opened.

Mr. Jose Diaz, 1800 Groesbeck, spoke about his intention for the property in Spanish. Mr. Haynes was given a copy in English and translated. Mr. Diaz stated that he feels the rezoning of the property will help the growing community. It would provide office space and parking for his business as well as others. Groesbeck Street currently has many C-1 and C-2 lots with high traffic, and more retail products and services are needed in the area. It would create new jobs and improve the tax base.

The public hearing was closed.

Commissioner Chavarria moved to recommend the approval of RZ10-06 with C-1 zoning classification to the Bryan City Council and to adopt the written staff report and analysis, as the report, findings and evaluation of this Commission. Commissioner Jones seconded the motion.

Commissioner Beckendorf asked if there was any discussion.

Commissioner Maxwell wanted to clarify if Mr. Diaz understands the difference between C-1 and C-2 zoning, and if he specifically wanted retail on the property.

Mr. Diaz stated that he understood the difference between C-1 and C-2 zoning, and he was requesting C-2 zoning so that he would be allowed retail businesses, such as a Laundromat and restaurants. He stated he understands that he can get these through conditional use permits in the future.

Commissioner Beckendorf asked if there was any discussion. There was none.

The motion passed with a unanimous vote.

8. Rezoning RZ10-08: City of Bryan

M. Zimmermann

A proposal to change the zoning classification from a combination of Agricultural – Open District (A-O) and Commercial District (C-3), to Residential District – 5000 (RD-5) on approximately 15.26 acres of land located generally north of East State Highway 21 between Colson Road and Carrabba and Bluebonnet Streets, including parts of Nuches Lane and Primrose Street, being certain lots in the Durwood Thompson, Shimen-Carrabba, Morille, and Nancy Whitlock Subdivisions as well as parts of the subdivision known as Coulter's Subdivision of the McGee Tract and land as-of-yet not represented on a subdivision plat in the Stephen F. Austin League, Abstract No. 10 in Bryan, Brazos County, Texas

Martin Zimmerman presented the staff report (on file in the Development Services office). Staff recommends approval of the request.

- Mr. Zimmermann stated that with the current zoning classification, if people wanted to add onto their homes, it would create some difficulty in terms of setbacks, etc. These setbacks were intended to protect the property.
- Upon notification of the citizens in the area, the feedback was neutral regarding the impending rezoning.

Responding to a question from Commissioner Parks, Mr. Zimmermann stated that the line drawn around the proposed rezoning area had to be drawn somewhere and that it did include other homes not within the boundary. He reminded the Commission that the area was close to a major intersection and other zoning has to be taken into consideration.

The public hearing was opened.

Larry Whitlock, 2700 Broadmoor, stated that he currently owns a vacant lot in the proposed rezoning area and that he would not like his property to be rezoned because he is located so close to the bypass.

Floyd Lott, 1902 Carrabba Street, stated he owns another vacant lot next to Mr. Whitlock and would like to keep the current zoning classification.

Rafaela Tenerio, 1801 Nuches Lane, hopes it will change to residential.

The public hearing was closed.

Commissioner Bond asked for clarification on grandfathering current uses in the area which Mr. Zimmermann provided.

Commissioner Hickle asked if the rezoning classification would impair the ability for someone to make a living. Mr. Zimmerman stated it would not.

Commissioner Jones moved to recommend the approval of Rezoning RZ10-08 to the Bryan City Council and to adopt the written staff report and analysis, as the report, findings and evaluation of this Commission. Commissioner Hickle seconded the motion.

Commissioner Beckendorf asked if there was any discussion.

Commissioner Bond asked if there had been any issues because the properties had not been rezoned. Staff noticed that the neighborhood should be preserved when a citizen came in for a shed.

Commissioner Hickle empathized with citizens who wanted to keep the zoning. He feels it will not have a negative impact on the homeowners currently there.

Commissioner Beckendorf agreed with Commissioner Hickle.

The motion passed with a unanimous vote.

Commissioner Parks left the meeting at 6:49pm.

9. Rezoning RZ10-09: Highland Interests, Inc.

M. Zimmermann

A request to change the zoning classification from Agricultural – Open District (A-O) to Residential District – 5000 (RD-5) on 16.85 acres of vacant land out of John Austin League, A-2 located north of a proposed northeastern extension of Harvey Mitchell School Drive, approximately 650 feet northeast from its intersection with Ambrose Drive in Bryan, Brazos County, Texas

Martin Zimmerman presented the staff report (on file in the Development Services office). Staff recommends approval of the request.

- The property is located next to the soon to be constructed Thornberry Drive which will connect to FM 1179. The property is located close to a school and when planning residential developments, locating around a school is desirable.

The public hearing was opened.

No one came forward.

The public hearing was closed.

Commissioner Madison moved to recommend the approval of Rezoning RZ10-09 to the Bryan City Council and to adopt the written staff report and analysis, as the report, findings and evaluation of this Commission. Commissioner Jones seconded the motion.

Commissioner Beckendorf asked if there was any discussion. There was none.

The motion passed with a unanimous vote.

10. Rezoning RZ10-10: Harmony School

R. Haynes

A request to change the zoning classification from Commercial District (C-3) to Office District (C-1) on 5.184 acres of land wrapping around the north corner of South Texas Avenue and Twin Boulevard, being Lots 2 and 3 of Townshire Subdivision and currently addressed as 2031 South Texas Avenue in Bryan, Brazos County, Texas

Randy Haynes presented the staff report (on file in the Development Services office). Staff recommends approval of the request.

- The school wishes to expand their current size by creating a gymnasium and new soccer fields.

The public hearing was opened.

Chris Galindo, 3107 Rolling Glen, the engineer requested to create the documents for the expansion, stated he feels that Harmony School has been a good neighbor and this would be an important addition for the development of the children.

Commissioner Maxwell asked where the gymnasium would be located.

Mr. Galindo stated that it would be located on the north end of the school next to the existing soccer field.

The public hearing was closed.

Commissioner Jones moved to recommend the approval of Rezoning RZ10-10 to the Bryan City Council and to adopt the written staff report and analysis, as the report, findings and evaluation of this Commission. Commissioner Chavarria seconded the motion.

Commissioner Beckendorf asked if there was any discussion. There was none.

The motion passed with a unanimous vote

11. ADJOURN

Without objection; Commissioner Beckendorf adjourned the meeting at 6:58pm.

The next regular meeting of the Planning and Zoning Commission is scheduled for Thursday, June 3, 2010 at 6:00 p.m.

These minutes were reviewed and approved by the City of Bryan Planning & Zoning Commission on the **3rd day of June, 2010.**

Michael Beckendorf, Chairperson
Planning and Zoning Commission
City of Bryan, Texas

Martin Zimmermann, Planning Administrator
and Secretary to the Planning and Zoning
Commission